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Paul, Hastings, Janofsky & Walker LLP

1299 Pennsylvania Avenue, NW, 10th Floor, Washington, DC 20004-2400

telephone 202-508-9500 / facsimile 202-508-9700 / internet www.paulhastings.com

Atlanta / Costa Mesa / London / Los Angeles / New York / San Francisco / Stamford / Tokyo

Paul Hastings

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(202) 508-9530

michellecohen@paulhastings.com

August 9, 2001

VIA MESSENGER

Magalie Roman Salas  
Secretary  
Federal Communications Commission  
The Portals II  
445 Twelfth Street, S.W.  
Room TW-B204  
Washington, D.C. 20554

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AUG 9 2001

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Re: Comments of Pappas Telecasting Companies in MM Docket No. 01-128/RM-10133: In the Matter of Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (Charleston, South Carolina)

Dear Madame Secretary:

On behalf of Pappas Telecasting Companies ("Pappas"), we submit herewith for filing an original and four (4) copies of its Comments in the above-referenced proceeding.

We also enclose an extra copy of this transmittal letter that is to be date-stamped and returned in the envelope provided. Should any questions arise regarding this submission, please contact Pappas's undersigned legal counsel.

Respectfully submitted,

*Michelle W. Cohen*

Michelle W. Cohen  
for PAUL, HASTINGS, JANOFSKY & WALKER LLP

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BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

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AUG 9 2001

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of

Amendment of Section 73.622(b) of  
the Commission's Rules,  
Table of Allotments,  
Digital Television Broadcast Stations  
(Charleston, South Carolina)

MM Docket No. 01-128  
RM-10133

To: The Chief, Video Services Division

**COMMENTS OF PAPPAS TELECASTING COMPANIES**

Pappas Telecasting Companies ("Pappas"), by counsel and pursuant to Section 1.415 of the Commission's Rules, hereby submits its comments in response to the *Notice of Proposed Rulemaking*, DA 01-1465, released on June 25, 2001 (the "Notice"), in the above-captioned proceeding. The Notice proposes to substitute digital television ("DTV") Channel 47 for DTV Channel 52 in Charleston, South Carolina. Channel 52 has been assigned to WCSC, Inc. ("WCSC").

*Background*

In July, 1996, Fant Broadcast Development, L.L.C. ("Fant") filed an application for a construction permit for a new analog television station to operate on Channel 47 at Columbia, South Carolina.<sup>1</sup> On May 25, 2001, the Commission issued a *Public Notice* which

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<sup>1</sup> File No. BPCT-19960722KG.

announced an application filing window for applications for construction permits for certain new analog television stations, including the proposed new station at Columbia (the "Auction No. 82 Notice").<sup>2</sup>

In response to the Auction No. 82 Notice, on June 28, 2001 Pappas filed a "short-form" application to participate in any future auction conducted by the Commission involving a construction permit for a new primary analog television station to operate on NTSC Channel 47 in Columbia, South Carolina. Subsequently, the Commission issued the Notice to allot DTV Channel 47 to Charleston, South Carolina, at the request of WCSC.

*Competing Applications for the Columbia NTSC Station Should be Permitted to Proceed to Auction*

Pappas supports the Comments filed in this docket by Fant and by Grant Video Inc. ("Grant"), requesting that the Commission permit applications for the Columbia NTSC station to proceed to auction. The proposed new NTSC facility at Columbia would benefit the public interest by bringing a new full-power analog television service to the Columbia area. In the event that Pappas were the successful bidder in a future auction for an NTSC facility at Columbia, Pappas would build the station promptly and would offer a new service to the Columbia area expeditiously.

Pappas concurs with the Comments of Fant and Grant, to the effect that any predicted interference by the proposed Charleston DTV facility to the Columbia NTSC station would be minimal, and that any such interference would be predicted to occur only in a sparsely-populated area at the fringe of the Columbia station's service area. Thus, it is possible to reconcile the Auction No. 82 Notice with the subsequent Notice (and WCSC's request for a substituted DTV allotment). Specifically, if the Commission were to permit the applications for

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<sup>2</sup> See *Public Notice*, DA 01-1300, released on May 25, 2001.

the Columbia NTSC station to proceed to auction, the Commission could advise those applicants that any authorization issued for the new Columbia station would be conditioned upon the acceptance by such station of any predicted interference from the proposed co-channel DTV facility in Charleston, assuming the rulemaking proposal in the Notice is adopted by the Commission. Such a procedure would be consistent with Commission precedent, including a similar condition imposed in the Blanco, Texas television proceeding.<sup>3</sup>

*Conclusion*

As set forth in these Comments, the authorization of a new analog station at Columbia would provide substantial public-interest benefits and can be resolved consistently with the DTV substitution in Charleston contemplated in the Notice.

Respectfully submitted,

Pappas Telecasting Companies

By: Michelle W. Cohen  
Michelle W. Cohen

PAUL, HASTINGS, JANOFSKY & WALKER LLP  
1299 Pennsylvania Avenue, N.W., Tenth Floor  
Washington, D.C. 20004  
(202) 508-9500

August 9, 2001

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<sup>3</sup> See *Public Notice*, DA 00-1226, released on June 5, 2000 (advising competing applicants for a new NTSC station at Blanco, Texas that the winning bidder's long-form application would be required to protect Class A television stations).

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CERTIFICATE OF SERVICE

I hereby certify that on this 9th day of August, 2001, a copy of the foregoing COMMENTS OF PAPPAS TELECASTING COMPANIES ~~was~~ sent by first-class United States mail, postage prepaid, to the following:

AUG 9 2001

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Magalie Roman Salas, Secretary\*  
Federal Communications Commission  
The Portals II, Room TW-B204  
445 12th Street, S.W.  
Washington, D.C. 20554

Barbara A. Kreisman, Chief\*  
Video Services Division  
Mass Media Bureau  
Federal Communications Commission  
The Portals II, Room 2-A666  
445 12th Street, S.W.  
Washington, D.C. 20554

Clay Pendarvis, Chief\*  
Television Branch  
Video Services Division  
Mass Media Bureau  
Federal Communications Commission  
The Portals II, Room 2-A662  
445 12th Street, S.W.  
Washington, D.C. 20554


Pamela Blumenthal\*  
Video Services Division  
Mass Media Bureau  
Federal Communications Commission  
The Portals II, Room 2-A762  
445 12th Street, S.W.  
Washington, D.C. 20554

James R. Bayes, Esquire  
E. Joseph Knoll, III, Esquire  
Wiley, Rein & Fielding  
1776 K Street, N.W.  
Washington, D.C. 20006  
(Counsel for WCSC, Inc.)

Dean R. Brenner, Esquire  
Crispin & Brenner, P.L.L.C.  
1156 15th Street, N.W.  
Washington, D.C. 20005  
(Counsel for Fant Broadcast Development,  
L.L.C.)

Andrew S. Kersting, Esquire  
Dickstein, Shapiro, Morin & Oshinsky,  
LLP  
2101 L Street, N.W.  
Washington, D.C. 20037-1526  
(Counsel for Grant Video Inc.)

\* Hand Delivered

  
Kathryn Pettipas